

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
(SOUTHERN DIVISION - FLINT)**

**SHERROD PIGEE and  
MARCIE WALLACE,**

**Plaintiffs,**

**v.**

**TRANSWORLD SYSTEMS, INC.  
and AMERICAN EXPRESS,**

**Defendants.**

§  
§  
§  
§  
§  
§  
§  
§  
§  
§

**Case No. 4:23-cv-12682**

**Removed from:**

**Genesee County  
67-5<sup>th</sup> Judicial District  
No. C23G5088SC**

**NOTICE OF REMOVAL**

PLEASE TAKE NOTICE that pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, Defendant Transworld Systems Inc. (hereinafter “TSI”), by its attorneys, respectfully files this Notice of Removal to remove this civil action from the 67-5<sup>th</sup> Judicial District Court, to the United States District Court for the Eastern District of Michigan. In support of this Notice of Removal, TSI states as follows:

1. On September 20, 2023, Plaintiffs, Sherrod Pigee and Marcie Wallace, acting *pro se*, commenced a civil action entitled *Sherrod Pigee and Marcie Wallace v. Transworld Systems and American Express*, Case No. C23G5088SC (“State Court Action”) by filing an Affidavit and Claim, Small Claims (hereinafter the “Complaint”), against TSI in the 67-5<sup>th</sup> Judicial District Court, Genesee County, Michigan. See Complaint attached as Exhibit A.

2. TSI first received notice of the State Court action by electronic mail on September 22, 2023. See Exhibit B. Accordingly, this Notice of Removal has been timely filed pursuant to 28 U.S.C. § 1446(b) and Fed. R. Civ. P. 6.

3. TSI was served with the State Court action by certified mail on October 4, 2023. See Exhibit C. No other process, pleadings, or orders have been served upon TSI.

4. No further proceedings before the state court have occurred. A copy of the court docket as of October 23, 2023 is attached hereto as Exhibit D.

5. Upon information and belief, co-defendant, American Express, has not been served. See docket attached as Exhibit D.

6. Pursuant to 28 U.S.C. §§ 1331, 1441 and 1446, TSI removes the State Court Action to this Court, which is the federal judicial district in which the State Court Action is pending.

7. The Complaint attempts to assert claims under the Fair Credit Reporting Act (FCRA) 15 U.S.C. § 1681 *et seq.* See Complaint ¶ 9. Plaintiffs allege Defendants reported in an unlawful manner an over satisfied balance causing financial damage. *Id.* Plaintiffs' claims therefore are fairly characterized as arising under the FCRA.

8. The United States Supreme Court has affirmed that federal question jurisdiction exists when presented with a substantial federal question. *Grable & Sons*

*Metal Prods., Inc. v. Darue Eng. & Mfg.*, 545 U.S. 308 (2005). Because plaintiffs seek relief for a cause of action arising under a federal statute, the Complaint asserts a federal question under 28 U.S.C. § 1331 and 15 U.S.C. § 1681, and it is therefore removable pursuant to 28 U.S.C. § 1441.

9. To the extent that the *pro se* plaintiffs state causes of actions for state statutory and state common law claims, which are not expressly asserted in the Complaint, those causes of action are preempted by the FCRA. *Scott v First S. Nat'l Bank*, 936 F.3d 509, 521 (6th Cir. 2019).

10. To the extent the *pro se* plaintiffs state any state law causes of action in the Complaint, that are not preempted by federal law, they fall within the supplemental jurisdiction of this Court, pursuant to 28 U.S.C. § 1367.

11. The 67<sup>th</sup> Judicial District Court for Genesee County is located within the federal Eastern District of Michigan. Therefore, venue for purposes of removal is proper because the United States District Court for the Eastern District of Michigan embraces the place in which the removed action was pending. 28 U.S.C. § 1441(a).

12. Pursuant to 28 U.S.C. § 1446(d), a copy of this Notice of Removal is being caused to be served on plaintiffs by U.S. mail at the address provided in the Complaint and by email at marcielwallace@yahoo.com. Notice will also be promptly filed with the clerk of the 67-5<sup>th</sup> Judicial District Court.

13. TSI files this Notice of Removal solely for the purpose of removing the State Court Action and does not waive, and specifically reserves, all defenses.

WHEREFORE, Defendant Transworld Systems Inc. gives notice that this action is removed to the United States District Court for the Eastern District of Michigan, and respectfully requests that no further proceedings in this matter be had in the 67-5<sup>th</sup> Judicial District for Genesee County, Michigan.

Respectfully Submitted,

/s/ Jennifer Dillow

Jennifer T. Dillow (P69855)  
SESSIONS, ISRAEL & SHARTLE, LLC  
22845 Sylvan Avenue  
Brownstown Twp, Michigan 48134  
Telephone: (313) 351-2165  
Facsimile: (877) 334-0661  
Email: jdillow@sessions.legal

*Attorney for Defendant,  
Transworld Systems Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify October 23, 2023 , I electronically filed the foregoing Notice of Removal with the Clerk of Court using the CM/ECF system. A copy of this document and all attachments are being delivered by U.S. Mail and Email to Plaintiffs at the following address:

Sherrod Pigeo and Marcie Wallace  
P.O. Box 991  
Grand Blanc, MI 48480  
marcielwallace@yahoo.com

/s/ Jennifer Dillow  
Jennifer T. Dillow